

COUNCIL ON HUMAN SERVICES

MINUTES

June 26, 2013

COUNCIL

Mark Anderson
Phyllis Hansell
Arnie Honkamp
Mark Peltan
Guy Richardson
Kim Spading
Roberta Yoder

EX-OFFICIO MEMBERS

Representative Joe Fry (absent)
Representative Lisa Heddens (absent)
Senator Amanda Ragan (absent)
Senator Jack Whitver (absent)

STAFF

Chuck Palmer
Sally Titus
Deb Johnson
Jen Harbison
Linda Miller

Nancy Freudenberg
Jennifer Vermeer
Harry Rossander
Lindsay Buechel

GUESTS

Linda Kemp, ISAC
Tom Fey, Podiatric Medical Society
Patty Funaro, Legislative Services Agency
Carrie Malone, House Republican Staff
Aaron Todd, Senate Democrats

Mark Peltan, Chair, called the Council meeting to order by teleconference at 1:00 p.m. on Wednesday, June 26, 2013, in the First Floor Conference Rooms of the Hoover Building.

ROLL CALL

All Council members present. Ex-officio legislative members Representative Joel Fry, Representative Lisa Heddens, Senator Amanda Ragan, and Senator Jack Whitver were absent.

Chair Peltan read the following: "This meeting of the Iowa Council on Human Services is being held in accord with Section 21.8 of the Code of Iowa entitled "electronic meeting." The Code states that a governmental body may conduct a meeting by electronic means if circumstances are such that a meeting in person is impossible or impractical, or if the governmental body complies with the rules. The rules essentially state that access must be provided to the public. The meeting is being held on a speakerphone in the First Floor Conference Rooms of the Hoover State Office Building. Notices and agendas were sent to interested groups as well as the press advising them the meeting will be held via conference call. Minutes will be kept of the meeting."

RULES

Nancy Freudenberg, Bureau of Policy Coordination, presented the following rules to Council.

1. Amendments to Chapters 77, 78, 79, and 88, Medicaid. Transfers administrative responsibility for Medicaid Habilitation to the Iowa Plan contractor.

Spading asked if the infrastructure is there for the administration to start on July 1, 2013. Vermeer responded yes. DHS has been working with Magellan Behavioral Care of Iowa the last six months in preparing for the implementation and Magellan has been working with contractors.

A motion was made by Yoder to approve and seconded by Anderson. MOTION UNANIMOUSLY CARRIED.

2. Amendments to Chapters 77, 78, and 79, Medicaid. Implements the Integrated Health Home for members with a serious mental illness (SMI) or a serious emotional disturbance (SED) as defined in the state plan.

Freudenberg said since Council last saw this rule, there was a request to have public hearings and 39 comments were received and summarized into seven areas of concern. Freudenberg reviewed the concerns with Council members. (On file in Director's Office)

Freudenberg also said there were supporting comments received by eighteen individuals primarily from Johnson, Linn and Polk Counties. She said there were no changes to the rules as originally submitted.

Hansell and Peltan asked about the qualification comparison between the targeted case manager and the care coordinator positions and the comparative caseloads. Vermeer said her understanding is that the qualifications for the targeted case manager and the care coordinator are very similar. Vermeer also spoke to the question regarding caseloads.

Peltan noted integrated health homes at the Abbe Center in Cedar Rapids and Iowa City are working very well.

A motion was made by Hansell to approve and seconded by Spading. MOTION UNANIMOUSLY CARRIED.

3. Amendments to Chapter 78, Medicaid. Excludes the coverage of and payment for elective, non-medically necessary cesarean section (c-section) deliveries.

A motion was made by Honkamp to approve and seconded by Hansell. MOTION UNANIMOUSLY CARRIED.

4. Amendments to Chapter 78, Medicaid. Requires prior authorization for initial admission to or continued stay in a certified hospital “swing-bed” for a member who no longer requires acute (inpatient) hospital care and who would otherwise meet a nursing facility or skilled level of care.

Peltan said he received a comment from the Iowa Hospital Association but noted it was not attached to the rule sent to Council members. Freudenberg said comments will not be attached to these rules because these are the rules that are adopted and filed emergency as a result of legislation. Council will receive the comments when they come before them as noticed rules.

Peltan said he is concerned about the Pre-Admission Screening and Resident Review (PASRR) process as sometimes this can extend the length of stay for patients. Vermeer explained that PASRR requires the hospital to complete an assessment prior to an admission to a nursing facility. This rule is trying to encourage members to move to the appropriate level of care and ensure that the nursing facility placement is being actively pursued prior to admission into a “swing bed” and, if one is not possible, the process continues while the person is in the “swing bed.” A “swing bed” is intended to be a short-term stay. Peltan said he agrees but he remains concerned, that in some cases in order to avoid a “swing bed” situation, more people may be placed in an actual hospital bed.

A motion was made by Yoder to approve and seconded by Hansell. MOTION UNANIMOUSLY CARRIED.

5. Amendments to Chapters 78, 79, and 83, Medicaid. Increases Medicaid provider rates in accordance with legislative mandate, 2013 Iowa Acts, Senate File 446.

A motion was made by Richardson to approve and seconded by Yoder. MOTION UNANIMOUSLY CARRIED.

6. Amendments to Chapter 79, Medicaid. Changes the reimbursement method for case management services for individuals with a brain injury and those that are elderly.

Vermeer said this rule has been changed since the first time Council saw it due to concerns from providers regarding the cost containment strategies and the negative impacts it would have on them. She explained the new methodology that was developed that limits their administrative costs to 23% of direct service costs for FY 2014.

Hansell noted a typographical error on the description of the rule. The correct description should read “changes the reimbursement method for case management services for individuals with a brain injury and those that are **elderly**. (Not wealthy as noted on the cover letter and agenda)

A motion was made by Honkamp to approve and seconded by Richardson. MOTION UNANIMOUSLY CARRIED.

7. Amendments to Chapter 79, Medicaid. Changes the payment methodology for home-health services to the Medicare low utilization payment amount (LUPA) methodology with state geographic wage adjustments.

A motion was made by Yoder to approve and seconded by Hansell. MOTION UNANIMOUSLY CARRIED.

8. Amendments to Chapter 92, Medicaid. Implements an enrollment cap on the IowaCare Program in accordance with waiver amendments.

Freudenberg said there have been no changes to this rule since the last time it was presented to Council.

Council members Spading, Yoder and Honkamp voiced concern with the enrollment cap and the gap in services that will result for approximately 4,000+ persons for six months. Vermeer said she understands members’ concerns but the funding has not been provided for growth; thus the cap. Vermeer explained that IowaCare is not an entitlement program. IowaCare providers are concerned

about having the capacity to meet future enrollment growth and have expressed the need to cap enrollment to avoid problems with quality of care. An enrollment cap, will also assist in the phasing out of IowaCare, which is scheduled to sunset on December 31, 2013 and in transitioning current enrollees into the new healthcare coverage structure that will be effective January 1, 2014.

A motion was made by Richardson to approve and seconded by Anderson.
MOTION CARRIED WITH SPADING ABSTAINING.

9. Amendments to Chapter 150, Child Welfare. Changes how supervised apartment living rates are established and increases provider rates for those contractors who provide child welfare emergency services for the Department.

Freudenberg informed Council of changes to the rule. She said the Governor, when signing the appropriation bill last week, vetoed one portion of the rule: Amendments to rule 153.3(5P). This amendment stated “fiscal year 2014 provider increases shall be used to increase compensation and cost of employment including benefits for non-administrative staff.” Vermeer said this veto also applied to the Medicaid provider rate increases.

A motion was made by Honkamp to approve and seconded by Hansell.
MOTION UNANIMOUSLY CARRIED.

10. Amendments to Chapter 156, Foster Care. Increases the foster family daily reimbursement rate and adoption subsidy daily maintenance rate.

A motion was made by Honkamp to approve and seconded by Hansell.
MOTION UNANIMOUSLY CARRIED.

11. Amendments to Chapter 156, Foster Care. Increases the monthly maintenance rate and initial allowance for youth placed in the Supervised Apartment Living Program.

A motion was made by Hansell to approve and seconded by Yoder. MOTION UNANIMOUSLY CARRIED.

Peltan requested a future agenda item be an update on the Supervised Apartment Living Program (SAL). He said with the increase in rates he would like to know how effective it is.

12. Amendments to Chapter 170, Child Care. Increases the provider rate ceilings as directed by the legislature.

Freudenberg said this rule also has the same veto language that provider increases cannot be used for non-administrative staff – Item 2 170.4(7)“h.”

A motion was made by Richardson to approve and seconded by Spading.
MOTION UNANIMOUSLY CARRIED.

13. Amendments to Chapter 187, AfterCare Services. Increases the youth stipend and provider rates for providers of “preparation for adult living (PAL) services.

A motion was made by Honkamp to approve and seconded by Hansell.
MOTION UNANIMOUSLY CARRIED.

REPORT OF NOTICED ACTION

Freudenberg said all noticed rules below have been discussed.

N-1. Amendments to Chapter 77, 78, and 79, Medicaid. Transfers administrative responsibility for Medicaid Habilitation to the Iowa Plan contractor.

N-2. Amendments to Chapter 78, Medicaid. Excludes the coverage of and payment for elective, non-medically necessary cesarean section (C-section) deliveries.

N-3. Amendments to Chapter 78, Medicaid. Requires prior authorization for initial admission to or continued stay in a certified hospital “swing bed” for a member who no longer requires acute (inpatient) hospital care and who would otherwise meet a nursing facility or skilled level of care.

N-4. Amendments to Chapters 78, 79, and 83, Medicaid. Increases Medicaid provider rates in accordance with legislative mandate, 2013 Iowa Acts, Senate File 446.

N-5. Amendments to Chapter 79, Medicaid. Changes the reimbursement method for case management services for individuals with a brain injury and those that are elderly.

N-6. Amendments to Chapter 79, Medicaid. Changes the payment methodology for home-health services to the Medicare low utilization payment amount (LUPA) methodology with state geographic wage adjustments.

N-7. Amendments to Chapter 92, Medicaid. Implements an enrollment cap on the IowaCare program in accordance with waiver amendments.

N-8. Amendments to Chapter 150, Child Welfare. Changes how supervised apartment living rates are established and increases provider rates for those contractors who provide child welfare emergency services for the Department.

N-9. Amendments to Chapter 156, Foster Care. Increases the foster family daily reimbursement rate and adoption subsidy daily maintenance rate.

N-10. Amendments to Chapter 156, Foster Care. Increases the monthly maintenance rate and initial allowance for youth placed in the Supervised Apartment Living Program.

N-11. Amendments to Chapter 170, Child Care. Increases the provider rate ceilings as directed by the legislature.

N-12. Amendments to Chapter 187, Aftercare Services. Increases the youth stipend and provider rates for providers of “preparation for adult living” PAL services.

A motion was made by Yoder to accept the Report of Noticed Action and seconded by Hansell. MOTION UNANIMOUSLY CARRIED.

NEXT MEETING

The next meeting of the Council on Human Services will be July 10th in Des Moines.

A motion was made by Honkamp to adjourn and seconded by Richardson. MOTION UNANIMOUSLY CARRIED.

Council adjourned at 2:07 p.m.

Submitted by,

Linda Miller
Recording Secretary

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